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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Karla E. Williams  
Serial No.: 10/766,604  
For: FIBROUS ARTICLES HAVING ODOR ADSORPTION  
ABILITY AND METHOD OF MAKING SAME  
Filed: January 27, 2004  
Art Unit: 3761  
Examiner: Catherine L. Anderson  
Confirmation No.: 3398  
Customer No.: 67,519 Attorney Docket No.: 460.1844USV1

**Mail Stop Petition  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450**

Dear Sir:

**PETITION TO ACCEPT AN UNINTENTIONALLY  
DELAYED CLAIM TO PRIORITY**

Applicant is hereby petitioning the Office to accept an unintentionally delayed claim to domestic priority.

This application was intended to be filed as a divisional application of U.S. Patent Application Serial No.: 09/977,752, filed on October 15, 2001 (PAT 6,702,797), which is a **divisional** application of U.S. Patent Application Serial No.: 09/062,993, filed on April 20, 1998 (PAT 6,353,146).

The Filing Receipt acknowledges the domestic priority as 09/977,752, filed on October 15, 2001 (PAT 6,702,797) which is correct, but it fails to recognize U.S. Patent Application Serial No.: 09/062,993, filed on April 20, 1998 (PAT 6,353,146).

Applicant submits that the entire delay between when the claim was due and the present submission of the claim was unintentional.

Pursuant to 37 C.F.R. 1.78(a)(3) and 37 1.55(c), Applicant submits herewith:

- (i) an amendment to the specification that provides the reference required by 35 U.S.C. 120, i.e., that the present application is a divisional application of U.S. Patent Application Serial No.: 09/977,752, filed on October 15, 2001 (PAT 6,702,797), which is a **divisional** application of U.S. Patent Application Serial No.: 09/062,993, filed on April 20, 1998 (PAT 6,353,146).
- (ii) a claim under 35 U.S.C. 120 to priority of U.S. Patent Application Serial No.: 09/062,993, filed on April 20, 1998 (PAT 6,353,146) by filing an ADS.
- (iii) authorization for the Commissioner to charge the fee of **\$1,410.00 to Deposit Account No.: 162-127 in the name of Playtex Products, Inc.** for the surcharge set forth in 37 C.F.R. 1.17(t); and if needed, to charge any additional fees to Deposit Account No. 01-0467; and
- (iv) a statement, provided above, that the entire delay was unintentional.

Applicant is also submitting herewith the following:

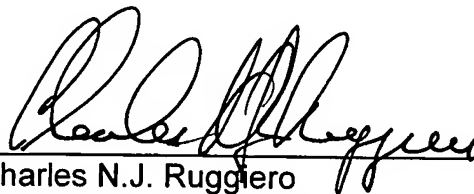
- 1) An Amendment to the specification which includes the cross-reference to applications;
- 2) Claim of Priority to U.S. Patent Application Serial No.: 09/062,993, filed on April 20, 1998 (PAT 6,353,146); and
- 3) A Request for Updated Filing Receipt.

The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§1.16 and 1.17 which may be required with this communication or during the entire pendency of the application, or credit any overpayment, to **Deposit Account**

No.: 162-127 in the name of Playtex Products, Inc. If needed, the Commissioner is hereby authorized to charge any additional fees to Deposit Account No. 01-0467.

March 25, 2009

Date



Charles N.J. Ruggiero

Attorney for Applicant(s)

Registration No. 28,468

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**CERTIFICATE OF MAILING**

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE U.S. POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: MAIL STOP PETITIONS, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON MARCH 25, 2009.

Suzanne Lombardo

NAME



SIGNATURE

3/25/09

DATE



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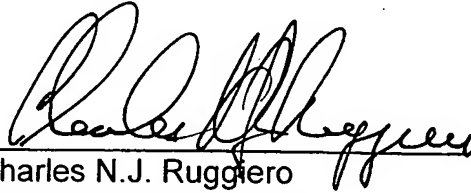
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